

REMARKS

Claims 5, 6, 10, 15-28, and 30-37 have been withdrawn from consideration. Claim 38 is new. The claims remaining in the application are 1-4, 7-9, 11-14, 29, and 38.

Drawings

A copy of the formal drawings are submitted herewith with a copy of the Letter to the Official Draftsperson. Approval by the Examiner is respectfully requested.

Rejection Under 35 U.S.C. § 102

The Office Action has rejected claims 1, 2, 4, 7-9, 11-14, and 29 under 35 U.S.C. 102(e) as being anticipated by Beattie (U.S. Publication No. 2002/0181128). This rejection is respectfully traversed.

The Beattie reference cited in the Office Action shows a thermally stable mounting for a diffraction degrading device which provides thermal isolation in a linear direction. Referring to Figure 2 and paragraphs 0008 and 0009, it is seen that the purpose of the thermal support is both to align and "maintain at a particular position from the last optical component" the diffraction grading. The structure function and result of Beattie is clearly different from that of the present invention. Maintaining the diffraction grading of Beattie at a particular distance from the last optical component in the system is different from the present invention which reduces thermal hysteresis when the system is turned off and allowed to cool down and restarted and heated back up.

The Office Action states that the Beattie reference shows the limitation in the present invention for attaching to the support structure at "a first and second mount point" and attaching to the component "at a component mount point." Thus, in the present invention the flexures attach at two points to the support structure and at one point to the component mount. This is not shown in Beattie, and the position of the Office Action that grouping the four pins of Beattie can be construed in a fashion which anticipates the limitation of the current invention is clearly incorrect.

Claim 38, which has been added by the present amendment, further narrows the independent claim 1 by adding the limitations that show the planar

structure of the flexure couplings. This is not shown in Beattie or any other prior art reference.

Rejection Under 35 U.S.C. § 103

The Office Action has rejected claim 3 under 35 U.S.C. 103(a) as being unpatentable over Beattie (U.S. Publication No. 2002/0181128) in view of Roddy (U.S. Patent No. 6,648,475). This rejection is respectfully traversed.

Roddy et al. is assigned to the same assignee as the present invention and, therefore, is not a proper reference against the present patent application. In addition, claim 3 is dependent on claim 1, which has been distinguished from the prior art above, and adds additional limitations to a patentable claim. Therefore, claim 3 is patentable over the prior art.

CONCLUSION

Dependent claims not specifically addressed add additional limitations to the independent claims, which have been distinguished from the prior art and are therefore also patentable.

In conclusion, none of the prior art cited by the Office Action discloses the limitations of the claims of the present invention, either individually or in combination. Therefore, it is believed that the claims are allowable.

If the Examiner is of the opinion that additional modifications to the claims are necessary to place the application in condition for allowance, he is invited to contact Applicant's attorney at the number listed below for a telephone interview and Examiner's amendment.

Respectfully submitted,



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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.

Enclosures: Copy of Letter to Draftsperson and Copy of Formal Drawings